

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

5:98-CV-1772  
(FJS/GHL)

CARROLS CORPORATION,

Defendant.

---

APPEARANCES:

OF COUNSEL:

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSIONS  
33 Whitehall Street  
5th Floor  
New York, New York 10004

JUDY A. KEENAN, ESQ.

ORRICK, HERRINGTON & SUTCLIFFE, LLP  
Counsel for Defendant  
666 Fifth Avenue  
New York, New York 10103-0001

JOHN D. GIANSELLO, III, ESQ.

GEORGE H. LOWE, United States Magistrate Judge

**ORDER**

The Court having considered the parties' submissions (Dkt. Nos. 109, 114, 115, 116, 117, 118) and having heard counsel's oral arguments on October 26, 2005, it is hereby

**ORDERED**, that the following schedule will apply for a motion by Defendant for summary judgment with respect to certain of the individual claims:

February 27, 2006: On or before this date, Defendant's moving papers will be electronically filed.

April 27, 2006: On or before this date counsel will confer in a good faith effort to

agree upon discovery, if any, that should be conducted pursuant to Rule 56(f) of the Federal Rules of Civil Procedure.


**May 11, 2006:** On or before this date, counsel will electronically file a letter to the Court advising as to the status of discovery issues and the impact, if any, of those issues on the schedule for filing Plaintiff's opposition papers.

**June 27, 2006:** On or before this date Plaintiff's opposition papers will be electronically filed (unless this date has been extended because of discovery issues).

**August 11, 2006:** On or before this date, Defendant's reply papers will be electronically filed (unless this date has been extended because of discovery issues).

**IT IS FURTHER ORDERED**, that the claimant group in this case is limited to the 511 individual claimants who have been identified by Plaintiff, and no additional claimants shall be added to the group.

Dated: October 27, 2005  
Syracuse, New York

  
George H. Lowe  
United States Magistrate Judge